

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

No. 06-15623

FILED U.S. COURT OF APPEALS ELEVENTH CIRCUIT October 17, 2007 THOMAS K. KAHN CLERK

D. C. Docket No. 05-00028-CV-WDO-5

LINDA SIMMONS,

Plaintiff-Appellant,

versus

THE BOEING COMPANY,

Defendant-Appellee.

Appeal from the United States District Court
for the Middle District of Georgia

(October 17, 2007)

Before TJOFLAT, HULL and WILSON, Circuit Judges.

PER CURIAM:

Plaintiff-appellant Linda Simmons appeals the district court's grant of summary judgment in favor of defendant-appellee The Boeing Company.

Simmons sued Boeing, her employer alleging (1) that Boeing failed to promote her because of her age and gender, and (2) that Boeing retaliated against her because of her complaints about the alleged discrimination.

Boeing selected another employee for the manager position for various reasons, including that the selected employee had a bachelor's degree as well as a master's degree, had obtained the preferred management certificate, and had scored higher on his interview than Simmons. Simmons does not dispute the promoted candidate's qualifications or her own lack of a bachelor's degree or management certificate.

On appeal, Simmons argues that she provided sufficient evidence of pretext and retaliatory events to create a jury question on both claims. After review and oral argument, we conclude that Simmons's arguments lack merit, and thus we affirm the district court's grant of summary judgment in favor of Boeing.

AFFIRMED.